S. HRG. 101-1248

# ILLINOIS WILDERNESS ACT OF 1990 (S. 2948/H.R. 5428) AND THE WESTERN NORTH CAROLINA WILDERNESS PROTECTION ACT OF 1990 (H.R. 5388)

## HEARING

BEFORE THE

SUBCOMMITTEE ON
CONSERVATION AND FORESTRY

OF THE

COMMITTEE ON AGRICULTURE,
NUTRITION, AND FORESTRY
UNITED STATES SENATE

ONE HUNDRED FIRST CONGRESS

SECOND SESSION

ON

**S. 2948/H.R. 5428 and S. 3200/H.R. 5388**

OCTOBER 25, 1990

Printed for the use of the
Committee on Agriculture, Nutrition, and Forestry

U.S. GOVERNMENT PRINTING OFFICE
42-180 cc WASHINGTON : 1991

For sale by the U.S. Government Printing Office
Superintendent of Documents, Congressional Sales Office, Washington, DC 20402
ISBN 0-16-035354-8

S161-31

## COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

PATRICK J. LEAHY, Vermont, *Chairman*

| | |
|---|---|
| DAVID H. PRYOR, Arkansas | RICHARD G. LUGAR, Indiana |
| DAVID L. BOREN, Oklahoma | ROBERT DOLE, Kansas |
| HOWELL HEFLIN, Alabama | JESSE HELMS, North Carolina |
| TOM HARKIN, Iowa | THAD COCHRAN, Mississippi |
| KENT CONRAD, North Dakota | RUDY BOSCHWITZ, Minnesota |
| WYCHE FOWLER, JR., Georgia | MITCH McCONNELL, Kentucky |
| THOMAS A. DASCHLE, South Dakota | CHRISTOPHER S. "KIT" BOND, Missouri |
| MAX BAUCUS, Montana | PETE WILSON, California |
| J. ROBERT KERREY, Nebraska | SLADE GORTON, Washington |

CHARLES RIEMENSCHNEIDER, *Staff Director*
JAMES M. CUBIE, *Chief Counsel*
CHRISTINE SARCONE, *Chief Clerk*
CHARLES CONNER, *Staff Director for the Minority*

---

### SUBCOMMITTEE ON CONSERVATION AND FORESTRY

WYCHE FOWLER, JR., Georgia, *Chairman*

| | |
|---|---|
| HOWELL HEFLIN, Alabama | CHRISTOPHER S. "KIT" BOND, Missouri |
| MAX BAUCUS, Montana | SLADE GORTON, Washington |

# CONTENTS


Page

Hearing held on: October 25, 1990 ..... 1

ILLINOIS WILDERNESS ACT OF 1990 (S. 2948/H.R. 5428) AND THE WESTERN NORTH CAROLINA WILDERNESS PROTECTION ACT OF 1990 (H.R. 5388)

Fowler, Hon. Wyche, Jr., a U.S. Senator from Georgia, opening statement ..... 1
Prepared statement ..... 1

CHRONOLOGICAL LIST OF WITNESSES

Ballenger, Hon. Cass, a Representative in Congress from the 10th Congressional District, State of North Carolina ..... 2
Prepared statement ..... 3
"Wilderness," editorial, Watauga Democrat, August 3, 1990 ..... 4
Map ..... 5
Leonard, George M., Associate Chief, U.S. Forest Service, U.S. Department of Agriculture, Washington, DC ..... 6
Prepared statement ..... 7

APPENDIX

Prepared statements:
Dixon, Hon. Alan J., a U.S. Senator from Illinois ..... 11
Simon, Hon. Paul, a U.S. Senator from Illinois ..... 12
Webb, Grover Cleveland II, livestock producer ..... 12
McCabe, Ann, associate director, State of Illinois Washington Office, representing Governor James Thompson and the State of Illinois ..... 14
Clarke, Hon. James McClure, a Representative in Congress from the 11th Congressional District, State of North Carolina ..... 15
Sierra Club Appalachian Regional Office on S. 3200, the Western North Carolina Wilderness Act ..... 15
S. 2948, Illinois Wilderness Act of 1990, reprint of ..... 17
H.R. 5428, Illinois Wilderness Act of 1990, reprint of ..... 24
H.R. 5388, Western North Carolina Wilderness Protection Act of 1990, reprint of ..... 31
S. 3200, Western North Carolina Wilderness Protection Act of 1990, reprint of 34

# ILLINOIS WILDERNESS ACT OF 1990 (S. 2948/ H.R. 5428) AND THE WESTERN NORTH CAROLINA WILDERNESS PROTECTION ACT OF 1990 (H.R. 5388)

---

THURSDAY, OCTOBER 25, 1990

U.S. SENATE,
SUBCOMMITTEE ON CONSERVATION AND FORESTRY OF THE
COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY,
*Washington, DC.*

The subcommittee met, pursuant to notice, at 2 p.m., in room SR-332, Russell Senate Office Building, Hon. Wyche Fowler, Jr. (chairman of the subcommittee) presiding.

Present or submitting a statement: Senator Fowler.

## OPENING STATEMENT OF HON. WYCHE FOWLER, JR., A U.S. SENATOR FROM GEORGIA

Senator FOWLER. This is the Subcommittee on Conservation and Forestry of the Senate Committee on Agriculture, Nutrition, and Forestry, to have a public hearing on the Illinois Wilderness Act of 1990 (S. 2948/H.R. 5428) and the Western North Carolina Wilderness Protection Act of 1990 (H.R. 5388).

I want to welcome Mr. George Leonard, the Associate Chief of the U.S. Forest Service, who is going to give us the administration's viewpoint on the two wilderness bills before us today. We always welcome him.

And I am pleased to have Congressman Cass Ballenger from North Carolina who we will also hear from. Without anybody's objection, I will put my complete statement in the record and welcome Congressman Ballenger.

[The prepared statement of Senator Fowler follows:]

PREPARED STATEMENT OF HON. WYCHE FOWLER, JR., A U.S. SENATOR FROM GEORGIA

I want to welcome Mr. George Leonard, Associate Chief of the U.S. Forest Service, who will give us the administration viewpoint on the two wilderness bills before us today, the Western North Carolina Wilderness Protection Act and the Illinois Wilderness Act of 1990.

As a Davidson graduate, I have had the good fortune to wander extensively, myself, in the mountains of North Carolina. Few States can match it for unspoiled settings and the power of its scenery. It is simply an inspiration to those who believe in environmental stewardship—an inspiration that is felt by anyone who has even read Thomas Wolfe's descriptions of the mountains around Asheville.

It is unlikely we can ever do justice to all the lands in North Carolina that ought to be included as wilderness areas and, in my opinion, brought into the National Park and National Forest Systems.

So far, the mountains, forests, rivers and wildlife of the western part of the State have been partially preserved by their remoteness. But anyone who has sat in the bumper-to-bumper traffic in the North Carolina highlands—golfers, skiers, white-water rafters, retirees, leaf watchers in the fall, mountain-laurel seekers in the spring—knows that, as elsewhere in the country, the pressures from commercial and residential real estate development are reaching into even the deepest woodlands and is climbing even the steepest slopes.

According to the Forest Service, recreational use is the fastest-growing demand on our woodlands. Unless we act now, we will lose many opportunities to meet our future wilderness needs. H.R. 5388 will add 15,000 acres of wilderness to the 110,000 existing acres in North Carolina.

Because of my South of the Mason-Dixon ancestry, I am not as personally familiar with the backcountry of the Land of Lincoln. But I can tell just by looking at the numbers that this legislation is an urgent matter in the State of Illinois. This act would add 26,000 acres of wilderness in the Shawnee National Forest. There are only 4,000 existing wilderness acres in the entire State. Illinois has clearly not received its share of wilderness protection, and S. 2948 will help remedy that.

That is why I agree with my colleagues from Illinois and North Carolina that it is important to act now, to consider these proposals and to evaluate the long term prospects of some of our Nation's finest natural treasures that exist in both these States.

## STATEMENT OF HON. CASS BALLENGER, A REPRESENTATIVE IN CONGRESS FROM THE 10TH CONGRESSIONAL DISTRICT, STATE OF NORTH CAROLINA

Mr. BALLENGER. I have a formal statement here, but there is no use tying up a bunch of your time.

This land is land that was under a wilderness study for 6 years and the Forest Service recommended it for wilderness designation. I had a meeting in that part of the State and talked with people living in the area to get feedback on the proposal. For the most part it was favorable.

The only objections we had came from the trail bike association because they would no longer be able to ride their trail bikes in the area, and the timber people. The timber industry is philosophically against it. This land has not been timbered in 15 years in one part and close to 90 years in the other part. Under the current designation they cannot timber the land, and so basically we simply have philosophical difference on the legislation.

I grew up in western North Carolina, and spent practically every summer of my life in the mountains. It is just absolutely unbelievably beautiful land. It has the best forests, mountain streams, and trout streams of anyplace in the country. There is an area right next to it called Linville Gorge. It is probably one of the most popular areas for people to stop as they come down the parkway from all over the country. It is almost overused, and so it would be great to be able to add some more land where people could camp, hike and so forth.

As I told you, the North Carolina delegation supports it. I have talked to Senator Helms about it, and begged him on bended knee to support the bill—although I know philosophically he is against the idea of more wilderness. I told him that I thought it would behoove both him and me if he would not stop it or drag his feet on it. Like I say, if you could ever pick a place that you would like to save for your grandchildren and your great-grandchildren, this is it.

I have nothing further to say unless you have questions about it. I am just 100 percent for it, and everybody that lives in the area is.

[The prepared statement of Mr. Ballenger follows:]

PREPARED STATEMENT OF HON. CASS BALLENGER, A REPRESENTATIVE IN CONGRESS FROM THE 10TH CONGRESSIONAL DISTRICT, STATE OF NORTH CAROLINA

IN SUPPORT OF H.R. 5388, THE WESTERN NORTH CAROLINA WILDERNESS PROTECTION ACT OF 1990

Mr. Chairman, I appreciate your scheduling a hearing today on this legislation.

As introduced, the Western North Carolina Wilderness Protection Act of 1990 would designate two areas in the Pisgah National Forest, Lost Cove and Harper Creek as wilderness areas under the Wilderness Act of 1964. The bill being considered today, however, includes a third area, Craggy Mountain, in the 11th district. During consideration of the bill by the House, I was pleased to work with my colleague from the 11th district, Representative Jamie Clarke (D–NC) to include the Craggy Mountain area in this legislation.

I would like to give a brief history of the areas to be designated as wilderness. In 1984, the Congress approved the North Carolina Wilderness Act. This act established five wilderness study areas, two of these, Lost Cove and Harper Creek, being located in my district. Since 1984, the two areas have been managed as wilderness, prohibiting the use of motor vehicles and equipment or the use of the land for timber harvesting. In fact, the Harper Creek area has not been logged in over 15 years, and the Lost Cove area in over 80 years.

In 1987, the Forest Service completed its study, and recommended for wilderness designation three of the five areas, the Lost Cove and Harper Creek areas in my district, and the Craggy Mountain area located in the 11th district.

In fact, over 550 of my constituents living in the area have contacted me with their support for this legislation. I also have the support of the local and regional chapters of the Wilderness Society, the Sierra Club, and the Governor of North Carolina. Finally, the bill has the support of most members of the North Carolina delegation. They, too, would like to see these areas preserved for future generations.

H.R. 5388 would establish approximately 15,000 acres of additional wilderness in the National Forest System. In July, I visited Lost Cove and Harper Creek and concluded that it is essential these areas be protected. Within the area, there is an abundance of trout, and such wildlife as bear, turkey, and deer. Passage of this legislation would ensure these areas are preserved for all time. Finally, I believe the additional wilderness areas would relieve the Linville Gorge Wilderness Area that is approaching the point of overuse.

I often say that North Carolina is the best kept secret on the east coast. Our coastline and our mountains provide recreation and beauty to residents and tourist alike. Having been born and raised in western North Carolina, I find particular beauty in the mountains. I am glad that I have the opportunity as a U.S. Representative to make an effort to preserve part of this beautiful natural resource.

[Material submitted by Mr. Ballenger follows:]

# WATAUGA DEMOCRAT

*Established 1888*

Politically Independent

Publisher
*Rachel Rivers-Coffey*

Executive Editor
*Armfield Coffey*

Advertising Manager
*Lana Brantz*

Editorial Page Editor
*Tim Smith*

Editor
*Sandra Shook*

(USPS 668-440)




# *Wilderness*

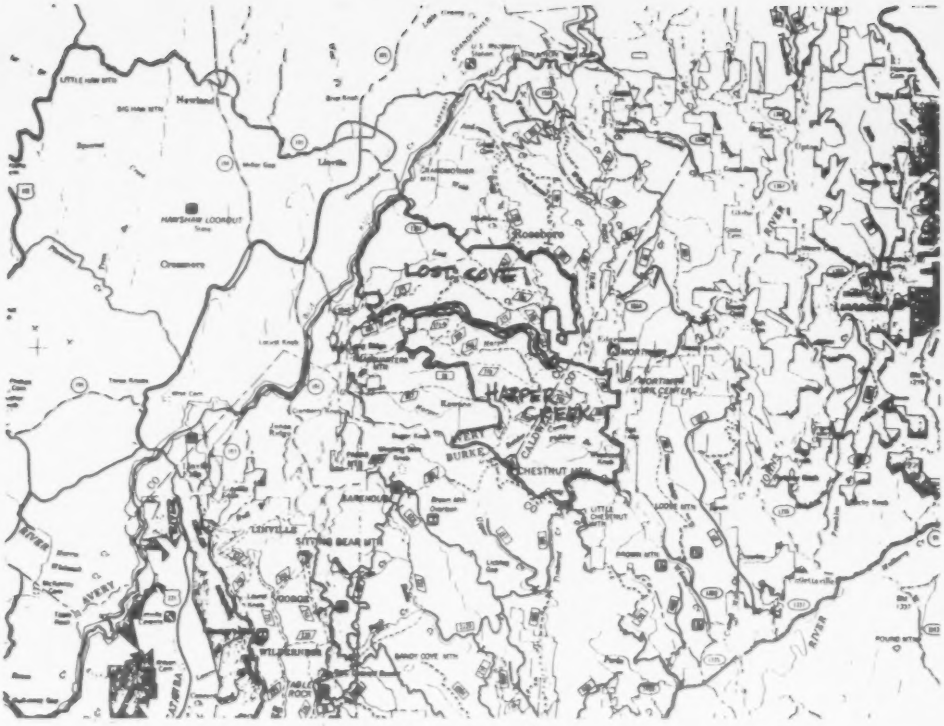
Rep. Cass Ballenger has made good on a promise to introduce legislation in Congress to designate some 13,000 acres of the Pisgah National Forest as wilderness areas. Passage would be a major achievement for Northwestern North Carolina.

Mr. Ballenger's bill, introduced last week, would designate the Lost Cove and Harper's Creek areas as permanent wilderness areas, meaning that they are to remain untouched and pristine. Some recreational activities will be allowed, but timber cutting would be prohibited, as would any motorized vehicles or gasoline-powered engines.

Opposition to the designation has surfaced from some motorcyclists who would like to ride in the areas and loggers who feel this is an attempt to unfairly restrict the timber industry. But there are plenty of places to ride bikes, and according to Mr. Ballenger and environmentalists much of the desginated areas is too steep or rough for logging.

On the other hand, the benefits of preservation are considerable. As protected wilderness, the areas will serve as valuable habitats, nature preserves, and watersheds. Plus, the addition of permanent wilderness areas and their natural attractions should attract visitors and therefore boost tourism in the mountains.

The areas have been recommended for wilderness designation by the Forest Service, but Congress must give final approval. Mr. Ballenger's bill gets the ball rolling in Congress, and if support from North Carolina's two senators is forthcoming, the designation should become a reality. Then the preservation of a small corner of Northestern North Carolina for generations to come would be assured.


LOST COVE
HARPER CREEK
BURKE
CHESTNUT MTN.
SITTING BEAR MTN.
AVERY
BOONE
WILKESBORO
ROUND MTN.
RIVER

42-190 R

Senator FOWLER. Appreciate that very much. I can tell the conviction behind those sentiments.

Let me hear from Mr. Leonard and then I will have a few questions on the Western North Carolina Wilderness Protection Act of 1990 and then the Illinois Wilderness Act of 1990.

## STATEMENT OF GEORGE M. LEONARD, ASSOCIATE CHIEF, U.S. FOREST SERVICE, U.S. DEPARTMENT OF AGRICULTURE, WASHINGTON, DC

Mr. LEONARD. I will ask that my full statement be made a part of the record.

Senator FOWLER. Without objection.

### WE SUPPORT THE DESIGNATION OF THESE THREE WILDERNESSES IN NORTH CAROLINA

Mr. LEONARD. Mr. Chairman, we support the designation of these three wildernesses in North Carolina. We studied these intensively as part of our forest planning process and we believe that they are excellent additions to the National Wilderness Preservation System.

As Congressman Ballenger has said, there is general support in the area for the designation of these areas. There is some 24 million people within a few hours' drive of this forest area. The amount of existing wilderness is limited, and the designation of these additional areas will help disperse that type of use and it will meet an urgent need.

### OUR STUDIES HAVE INDICATED NO SIGNIFICANT MINERALIZATION IN THAT AREA

Our studies have indicated no significant mineralization in that area so we see no reason that we should not go ahead and have those areas designated as part of the wilderness system.

### THE PROPOSALS IN ILLINOIS

In the proposals in Illinois, we also support those additional designations of wilderness and the two special management areas. These areas were also studied intensively as part of our forest planning process and we believe that wilderness designation is appropriate.

### UNDER FOUR OF THE WILDERNESSES IN ILLINOIS THERE ARE MINERAL DEPOSITS

It needs to be understood that under four of the wildernesses in Illinois there are mineral deposits, both Federal and private. Wilderness designation, of course, would preclude development of the Federal minerals. It would not affect the status of the private minerals, and some time in the future there may be some conflict between any proposed development of the private minerals and the Federal wilderness designation.

POSSIBLE CONFLICT

Beyond that possible conflict, we believe that the addition of these areas would be a very worthy part of the National Wilderness Preservation System.

[The prepared statement of Mr. Leonard follows:]

PREPARED STATEMENT OF GEORGE M. LEONARD, ASSOCIATE CHIEF, U.S. FOREST SERVICE, U.S. DEPARTMENT OF AGRICULTURE, WASHINGTON, DC

CONCERNING S. 2948, THE "ILLINOIS WILDERNESS ACT OF 1990" AND H.R. 5388, THE "WESTERN NORTH CAROLINA WILDERNESS PROTECTION ACT OF 1990"

Mr. Chairman and members of the subcommittee:

Thank you for the opportunity to offer our views on the bills being considered today. I will briefly address each bill and then will be happy to answer questions.

S. 2948, THE "ILLINOIS WILDERNESS ACT OF 1990"

S. 2948 would designate seven new wildernesses, totaling approximately 26,000 acres, as components of the National Wilderness Preservation System. These areas are all within the Shawnee National Forest and would be administered by the Secretary of Agriculture.

In addition, S. 2948 would designate two special management areas totaling 2,764 acres. Mining and prospecting for fluorspar and associated minerals would be permitted within these areas; however, they would be managed to preserve their wilderness characteristics. These areas would automatically be designated as components of the National Wilderness Preservation System after a period of time allowed for prospecting and mining.

In completing the Land and Resource Management Plan for the Shawnee National Forest, we evaluated the wilderness characteristics of all these areas, with the exception of some small portions of the Lusk Creek, Burden Falls, Garden of the Gods, and Panther Den units. We recommended wilderness study for all seven areas proposed for wilderness as well as the two areas proposed as special management areas. S. 2948 would designate approximately 235 acres within the Lusk Creek, Burden Falls, Garden of the Gods, and Panther Den areas that we did not evaluate for wilderness characteristics as part of our forest planning process.

S. 2948 would designate less acreage than we recommended for wilderness study in our Forest Plan. The study recommendation in the Forest Plan included substantial amounts of private land within the wilderness boundary. These have mostly been removed and the intermingled national forest land was, therefore also removed. Only 437 acres of private land remain within the wilderness boundaries designated by S. 2948.

In addition, the East Fork portion of the Lusk Creek area and the Eagle Creek portion of the Garden of the Gods would not be designated at this time. Instead, they would be designated as special management areas to provide the opportunity for prospecting and mining.

Mr. Chairman, we support S. 2948, as it would provide relatively large contiguous natural areas that would enhance recreation, provide for a wide diversity of flora and fauna, and allow the processes of nature to continue. The proposed wildernesses would complement and round out the multiple use management of the Shawnee National Forest. Like many other eastern wildernesses, these areas show signs of past land uses, such as old roads and an occasional crumbling structure. However, they offer opportunities for solitude and relative naturalness not readily available in the Midwest.

The committee should be aware that the seven proposed wildernesses have potential for mining fluorspar and associated minerals such as lead and zinc, which are on the critical and strategic minerals list. Because of the geology of the area and industry interest, we believe that significant undiscovered mineral resources may exist in the Garden of the Gods, Lusk Creek, Burden Falls, and Bay Creek areas proposed for wilderness designation in S. 2948. Designation of these areas would make these federally owned minerals unavailable for leasing, thereby preventing exploration and development.

Also within the seven proposed wildernesses, there are over 4,300 acres of private subsurface minerals ownership that is interspersed and intermingled with Federal minerals. S. 2948 would not affect the rights of the subsurface owners to prospect or develop their minerals. Such development could degrade wilderness values due to

noise, motorized equipment use, and surface disturbance. We conservatively estimate the value of these subsurface ownerships at $1.6 million.

In the two special management areas, S. 2948 would allow up to 20 years for mining of fluorspar and associated minerals. Eventual wilderness designation would not affect the existing private subsurface ownership, which totals about 780 acres. Conceivably, the owners of these minerals could elect to prospect or mine after wilderness designation.

Although there has been no drilling, recent geologic information indicates that the Lusk Creek, Burden Falls, and Bay Creek areas also have high potential for undiscovered resources of oil and natural gas. Currently, there are no leases in these areas. Wilderness designation would preclude issuing leases in the future.

In summary, we support wilderness and special management area designations for the areas described in S. 2948.

This completes my statement on S. 2948.

H.R. 5388, "WESTERN NORTH CAROLINA WILDERNESS PROTECTION ACT OF 1990"

The North Carolina Wilderness Act of 1984 directed the Forest Service to study five Wilderness Study Areas—Craggy Mountain, Harper Creek, Lost Cove, Overflow, and Snowbird.

H.R. 5388 would designate three new wilderness areas on the Pisgah National Forest, as components of the Wilderness Preservation System. These three areas, Harper Creek, Lost Cove, and Craggy Mountain total approximately 15,230 acres, and they would be important and significant additions to the wilderness system in North Carolina. Currently, there are 12 wildernesses in North Carolina, totaling approximately 110,000 acres. Eleven of these areas, totaling 101,000 acres, are within national forests and administered by the Forest Service.

The Forest Land and Resource Management Plan for the Nantahala and Pisgah National Forests, approved on April 16, 1987, recommends wilderness designation for three of the five Wilderness Study Areas—Lost Cove, Harper Creek, and Craggy Mountain. These three areas were recommended because they possess wilderness attributes, meet the public desire for wilderness near populated areas, and offer good opportunities to relieve possible overuse in existing wildernesses.

With the exception of 30 acres in the Harper Creek area, all of the land in these three areas is federally owned. None of the three recommended areas contain identified mineral resources of economic importance, nor are there outstanding rights or leases.

The three areas are bordered by low-standard gravel roads and, in the case of Craggy Mountain, the Blue Ridge Parkway. However, the steep topography and dense vegetation along these roads limit entry to the existing trailheads.

Timber harvesting occurred in the Harper Creek area 15 years ago and the Lost Cove and Craggy Mountain areas in the early 1900's. However, they have nearly regained their natural appearance, and will become increasingly more pristine with time.

We support wilderness area designation for the areas described in H.R. 5388, the North Carolina Wilderness Bill.

This completes my statement on H.R. 5388.

Senator FOWLER. I understand that in the Illinois situation that the Illinois beef industry has expressed opposition to this. Do you know anything about that?

Mr. LEONARD. I am not aware of that.

Senator FOWLER. Is the potential mineral problem that you mentioned, Mr. Leonard, the fluorspar?

Mr. LEONARD. Fluorspar and there are associated minerals that are found along with it. We have had situations, of course, both in the eastern and western wilderness where we had outstanding private mineral rights and in many cases we found it possible to develop a mining plan with the mineral owners that had minimum impact, or at least minimized the impact on the wilderness. In some other cases we found it necessary to go ahead and acquire those private mineral rights when it was necessary to protect the wilderness character of the area. That is an issue that we may have to face at some future time on these wildernesses.

Senator FOWLER. Staff tells me that mining for the fluorspar would be allowed for a period not to exceed 20 years following enactment. Is that correct?

Mr. LEONARD. That is on the two special management areas. This bill would designate seven wilderness areas and two special management areas. The two special management areas are of particular value for minerals. And there they would be allowed 7 years for exploration. If they find a significant amount of fluorspar, they would have up to 20 years from the time of enactment to mine that material.

Senator FOWLER. But you do not see any special problems arising from the management of these two special management areas?

Mr. LEONARD. No, that was why the proponents of this legislation went for the special management areas, as opposed to wilderness, to avoid those problems. After the period for development of the minerals expires, these areas would then become wilderness. Obviously, if mining development is taking place, it will take a while to restore them to their pristine character. But the areas do have good values for solitude in an area of relatively small amount of public lands. So we think this is an appropriate designation for those areas.

Senator FOWLER. One other question. Cass, I apologize to you. I got off on Illinois.

Again, I see that currently Illinois has only one wilderness area, 4,000 acres in the Crab Orchard National Wildlife Refuge. If we do this, under this bill, we are going to add 26,000 additional acres of wilderness. Mr. Leonard, is this going to be sufficient, do you think, to accommodate the expected increase in demand for wilderness in Illinois? Any other areas that would qualify if the demand exceeds your expectations?

Mr. LEONARD. These areas were identified in the land management plan, as having potential for wilderness based on past use, and so this captures most of the available lands on the forest which would be eligible for addition to the wilderness system at this time.

Senator FOWLER. There is not much in that State, is there?

Mr. LEONARD. No, even the Shawnee National Forest is a relatively small forest in the southern tip of the State.

Senator FOWLER. Okay, back to the western North Carolina, to ask this with some irony. Does the Forest Service expect any adverse economic effects on the local economies as a result of this bill?

Mr. LEONARD. No, these lands have been out of the timber base for some time, based on the type of management they have. It is steep, rugged ground which contributes significantly to its scenic quality, but it has not been regarded as lands with substantial timber value and we have identified no significant mineral values on these lands.

Senator FOWLER. Congressman Ballenger and I are not going to be marched on by people saying they are going to lose thousands of jobs in the wilderness?

Mr. LEONARD. I do not think so, no.

Mr. BALLENGER. As I said, the only opposition we have had at all is the philosophical argument by the timber people. They just feel there should not be anymore wilderness.

Senator FOWLER. The North Carolina Forestry Association, I have been told, has requested that two areas be released from any future consideration as wilderness. This legislation does not include that release language. Is the Service, Mr. Leonard, supportive of the legislation as its currently written?

Mr. LEONARD. Yes, it is.

Senator FOWLER. I assume that you do not foresee any problems with the management of these areas as wilderness?

Mr. LEONARD. We do not see any problems with the management of the areas that are designated for wilderness, and we believe that management under the forest plan for the areas that are not designated is appropriate.

Senator FOWLER. I know the Pisgah. I went to Davidson, Cass. I have wandered through a lot of those hills over in Pisgah, the days of my misspent youth.

Mr. LEONARD. Beautiful country.

Senator FOWLER. So I know how strikingly beautiful it is. It has been a long time.

I also know we hear a lot about the demand for wilderness.

Mr. BALLENGER. I wish I had brought a couple of letters from Girl Scouts who wrote me to thank me for introducing the bill, and tole me that it was the prettiest place they had ever been. They just did not realize that there were places like that around.

I would say the Linville Gorge used to be like that, but there have been so many people traveling through the area that it has been worn down. You asked if the designation would have any economic effect? I would think there would be a positive economic effect because——

Senator FOWLER. Tourism.

Mr. BALLENGER. Pure and simply tourism, right.

Mr. LEONARD. These areas are readily accessible from off the Blue Ridge Parkway, which of course is a major tourist route through that part of the country. There are areas where people can get off and hike.

Senator FOWLER. Anything else?

Mr. BALLENGER. Thank you kindly for having the hearing.

Senator FOWLER. Anybody in the public feel like they have to deliver themselves of anything?

[No response.]

Senator FOWLER. We will leave the record open for a couple of days, in case any of my colleagues would like to comment. Thank you.

[Whereupon, at 2:08 p.m., the subcommittee adjourned subject to the call of the Chair.]

[Material submitted for inclusion in the record follows:]

# APPENDIX

---

PREPARED STATEMENT OF HON. ALAN J. DIXON, A U.S. SENATOR FROM ILLINOIS

HEARING ON S. 2948, THE ILLINOIS WILDERNESS ACT OF 1990

Mr. Chairman, let me first state my appreciation for your willingness to hold a hearing on S. 2948, the Illinois Wilderness Act, as the 101st Congress nears adjournment.

My friend and colleague, Senator Paul Simon, and I sponsored this bill to include seven areas in the Shawnee National Forest in the National Wilderness Preservation System. Our constituents have worked for nearly 20 years to ensure that these unique, pristine areas are preserved for future generations to enjoy as we do. Congressman Glenn Poshard, who represents the areas of southern Illinois where the Shawnee is located, deserves special recognition for the extraordinary effort made during his first term in Congress to bring the many divergent interests of his district together.

The Shawnee National Forest spans some 260,000 acres across the southern tip of Illinois. Over 503 species of wildlife, and 156 species of flora, many of which are rare and endangered, make the Shawnee Forest their home.

The Shawnee is so unique, that visitors to the region are amazed to find the variety of land forms it offers. Indeed, even many folks from northern Illinois are not aware that the State of sweeping corn and soy fields also has steep-sided cliffs for rock climbers, valleys and canyons full of caves to be explored, high scenic river bluffs, bayou-like swamps, crystal clear streams, and old growth hardwood forests.

S. 2948 selects seven areas in the forest for wilderness designation, and two areas for special management designation, totaling just under 30,000 acres. These areas exhibit the pristine beauty and unusual characteristics of the region, and will preserve them in perpetuity. These areas have been recommended by the United States Forest Service for wilderness designation, and are currently being managed by the Service as such.

We have included a provision that will set aside the nearly 2,800 acres designated for special management for fluorspar mining. Fluorspar has been classified as having "compelling domestic significance," and southern Illinois has most of the domestic supply of fluorspar. Mining of fluorspar, however, is fairly innocuous environmentally. The shafts disturb only a 2- to 3-acre area, and the area around them can be restored very effectively when the mines are closed. The Forest Service has indicated that this type of mining activity will not rule out a wilderness designation for these areas in the future. Furthermore, the legislation requires that these areas become wilderness 8 years after enactment if no prospecting occurs, and 20 years after enactment if mining does occur.

The seven areas this bill proposes to designate as wilderness are known as Clear Springs, Bald Knob, Panther's Den, Burden Falls, Garden of the Gods, Lusk Creek, and Bay Creek. Illinois presently can boast of only 5,000 acres of wilderness—a rather paltry sum for a State of its size. Adding 30,000 acres promises to diversify the local economy by drawing tourism to the area in the form of family vacationing, camping, fishing, hiking, climbing, canoeing, and hunting. Moreover, the Shawnee National Forest wilderness areas will preserve the rich cultural heritage of extreme southern Illinois.

The bill before us enjoys the bipartisan support of all 24 Members of the Illinois congressional delegation, as well as the U.S. Forest Service, the State of Illinois, the Sierra Club, the Wilderness Society, the Nature Conservancy, and the Audubon Society.

Mr. Chairman, I am pleased that we may now end the long battle that many dedicated folks in Illinois have fought to bring wilderness to the Shawnee National

Forest. It was 1973 when the first proposal for wilderness study areas in the Shawnee were considered. Now that all concerned parties have reached consensus on which areas are properly suited for wilderness, it is time for the Congress to make it official by passing the Illinois Wilderness Act of 1990.

Mr. Chairman, members of the committee, I appreciate the assistance and cooperation you have offered in seeing this bill through the 101st Congress, and I urge you to consider it favorably.

---

PREPARED STATEMENT OF HON. PAUL SIMON, A U.S. SENATOR FROM ILLINOIS

S. 2948, THE ILLINOIS WILDERNESS ACT OF 1990

Mr. Chairman, I appreciate this opportunity to present my testimony in regard to the Illinois Wilderness Act of 1990, a bill that, along with my colleague Senator Dixon and every Member of the Illinois House delegation, I was pleased to cosponsor and one that I enthusiastically support.

The Shawnee National Forest is a tremendous environmental asset for Illinois; this legislation gives seven areas within that forest permanent protection. Currently the State of Illinois has only one wilderness area, the 4,000 acre Crab Orchard Wilderness. We have already lost much of our native wildlife and most of our natural areas. This bill adds over 26,000 acres of wilderness to our State, encompassing 11 percent of the Shawnee National Forest. The bill sets aside less than one-tenth of 1 percent of Illinois land for nature. We do this in order to leave our children and grandchildren a small piece of our natural heritage.

The areas designated in the bill are for the use and enjoyment of all Americans. The bill does not lock the public out. The wilderness areas will offer increased opportunities for hiking, camping, hunting and fishing. The old growth forests associated with the wilderness areas make an excellent outdoor classroom for students, young and old, to learn firsthand about biology and ecology and the importance of conserving our natural environment.

The Illinois Wilderness Act is the product of discussions, debates and studies going back over a decade. It is the outcome of a cooperative effort involving individuals and organizations in southern Illinois representing local communities, businesses, industries, government at the local, State and Federal level, and environmental advocates.

Mr. Chairman, I thank you for your generosity in holding this hearing so late in the session and I hope you will join us in our effort to pass the Illinois Wilderness Act before the 101st Congress adjourns.

---

PREPARED STATEMENT OF GROVER CLEVELAND WEBB II, LIVESTOCK PRODUCER

IN REGARD TO H.R. 5428, ILLINOIS WILDERNESS ACT OF 1990

My name is Grover Cleveland Webb II. I am a livestock producer and farm with the Shawnee National Forest as my neighbor. I farm in partnership with my father, Bob Webb, a retired University of Illinois professor of the College of Agriculture. He served for 32 years as the director of the Dixon Springs Agricultural Center, a 5,000 acre agriculture research center which is operated by the University of Illinois with a special use permit from the Shawnee National Forest. My brother Richard is also a partner in the farming operation. Last year we produced enough beef and pork to feed 10,700 Americans. The Webb family has farmed in Congressman Poshard's district since the mid-1800's and the home farm is recognized as the second oldest family farm in Illinois. The Webbs have always had cattle and been involved in the community. I was elected by the Illinois beef producers to serve on the Illinois Beef Council for 5 years, the last 2 as its chairman. I am presently secretary-treasurer of the Pope-Hardin Soil and Water Conservation District and serve as the Shawnee Land Use Council representative to the Association of Illinois Soil and Water Conservation Districts. Last year I was appointed by Agriculture Secretary Yeutter, with the support of Congressman Poshard, to serve on the Cattlemen's Beef Promotion and Research Board.

Today I am here to represent Land Use Council 14 and 15 of the Association of Illinois Soil and Water Conservation Districts (these councils cover the southern Illinois area and the proposed wilderness areas), the Illinois Beef Association, which represent 10,000 beef producers, the National Cattlemen's Association, which represent 240,000, and members of District 18 Illinois Farm Bureau (also counties in southern Illinois and the proposed wilderness areas). As their representative I want

to express concerns we have with the Illinois Wilderness Act of 1990, H.R. 5428. I ask for your help in addressing the following issues. Does wilderness qualities exist on all seven areas being recommended for designation? Are some areas better qualified than others? There are 3,619 acres of pine plantations in the seven areas. The road density and jurisdiction problem is being resolved by questionable means. We strongly believe that most of the proposed areas do not meet wilderness area criteria.

We were under the impression, as were many others, that a study authorized by Congress was to take place to determine which areas, if any, qualified for wilderness designation. A quote from the Land and Resource Management Plan, Shawnee National Forest says, "The long term positive and negative effects of wilderness management in the central states hardwood vegetation types are not known. Can effects by [be] mitigated or enhanced by management? Base line data should be collected as part of wilderness study direction." Another quote says, "The long term management needs of fire dependent communities will be addressed during any wilderness study authorized by Congress."

Is the United States Air Force request for the Forest Service to consider their need for low altitude air space in management decisions being addressed by this committee?

As it has turned out the interpretation of the word "study" was very misleading. Groups and individuals kept waiting for the study to take place so they could participate in the process. It just never happened! It seems to us that today's hearing should be addressing authorizing a study and not designating wilderness.

Southern Illinois is an economically depressed area. The area's unemployment rate is twice the national average. Our coal industry is in jeopardy because of clean air legislation. Agriculture is not as predominant as it used to be. This is small town America, and we are in trouble.

New industries are being promoted, with tourism topping the list. Do we have the Shawnee National Forest to continue to look to for help? Will wilderness benefit or hinder tourism development? We are in the area covered by the Lower Mississippi Delta Commission which recognize us as the poorest region in the Nation. We need to know the economic impact of wilderness designation on the future of our area *before* any wilderness designations occur.

The loss of the Forest Service's management flexibility is an important issue. Can the State of Illinois protect its natural areas under wilderness management? The Shawnee National Forest sits over the New Madrid fault—the location of the most violent earthquake in the United States history. A major quake is predicted before the year 2000. Will special management be needed if such an event occurs? In an ever changing world, which a forest is, flexibility is the key to survival.

Drugs are the Number One problem in the United States. Local and State law enforcement officials are concerned about not being able to effectively patrol the wilderness area because of the nonmotorized restrictions. Marijuana grows on the Shawnee National Forest today. The marijuana plant thrives in the soil and warm humid summers so typical of southern Illinois. The limiting of law enforcement officials to horseback and foot to search for, harvest and destroy patches of marijuana is a legitimate concern. We have the climate, the proximity to urban areas, the high unemployment rate, and with limited access we will provide the final ingredient needed to make the Shawnee National Forest a leader in marijuana production.

The land of the Shawnee National Forest was in private ownership until 1933. After that time the Forest Service began to purchase and manage the land. The worn out farms and wood lots of the 1930's have been transformed into the Shawnee National Forest we have today. Almost 60 years of Forest Service management have given us beauty, clean air, clean water, tourism, outdoor recreation and timber and other natural resources. I am asking this committee to give us time to see how wilderness management will impact the forest and the people whose lives are influenced by her. A full disclosure of all potential impacts is extremely important because wilderness designation is forever! The Shawnee National Forest belongs to all of us and we are responsible to see that the people who depend on her, the tress that grow on her and the wildlife that lives within her are the beneficiaries, not the victims of our decisions.

Mr. Chairman, I am asking that field hearings be held in the Shawnee National Forest. Few in southern Illinois were aware of this hearing date until Wednesday, the 5th of September. I was made aware of this hearing through the Illinois Farm Bureau. It has been hectic trying to arrange to appear here today and to collect the position statements I am carrying to present to this committee. Not all groups or individuals with legitimate concerns are represented here today; the time was too short and the distance too great.

The New Perspectives Management Program of the USDA Forest Service is another option I am asking this committee to consider. Congressman Poshard has already initiated action in this direction. Just one week from today, September 17, individuals involved in this new program will be touring the Shawnee National Forest. Should this committee be involved? The impact of wilderness management could be one of the first issues addressed under this new management program.

Congressman Poshard has told me that I cannot begin to understand the political pressure he is under to get this wilderness bill passed. I admit that I don't, but I know that it exists! The individuals and groups that I represent here today ask that this committee and Congressman Poshard resist the pressure just a little longer. Take the time to hear our concerns, come to the forest to experience her beauty and see her importance to the region before you implement a management prescription that could destroy the very resources that we all want to protect.

I have brought with me letters from a variety of groups that oppose H.R. 5428 including recreation, agriculture, tourism, timber, academic, and local community interests. I would ask that you please submit these letters and others that are forthcoming into the record.

Mr. Chairman and members of the committee, thank you for allowing me to participate in this hearing.

---

PREPARED STATEMENT OF ANN MCCABE, ASSOCIATE DIRECTOR, STATE OF ILLINOIS WASHINGTON OFFICE, REPRESENTING GOVERNOR JAMES THOMPSON AND THE STATE OF ILLINOIS

Mr. Chairman and members of the subcommittee, my name is Ann McCabe. I am an associate director in the State of Illinois Washington Office. I am here to represent Governor James Thompson and the State of Illinois, and to provide the following statement in regards to S. 2948, the proposed "Illinois Wilderness Act of 1990."

The State of Illinois believes that the areas being proposed for wilderness designation in the Shawnee National Forest in Illinois meet the standards for admission of new wilderness areas in accordance with current interpretation of existing Federal wilderness statutes.

To set aside lands for their cultural and scientific values is a wise course. The importance of retaining natural ecosystems on a large scale to conserve biological diversity is only beginning to be understood. We can be confident that establishment of the National Wilderness Preservation System was the right thing to do and that the System will yield benefits to humanity far beyond what has yet been envisioned. Illinois can contribute more than 26,000 acres to the System.

After more than a century of nearly uncurbed alteration of its natural landscape, Illinois became a pioneer among States in the identification and preservation of significant elements of its natural heritage. Begun in the mid-1970's (and continuing today), the Illinois Natural Areas Inventory has shown that less than seven one-hundredths of 1 percent of the original Illinois landscape remains relatively undisturbed. A major undertaking has been the acquisition and preservation of these "natural areas," more than 70 of which were found to occur on the Shawnee National Forest and 14 of which are located within the areas proposed for wilderness designation. These include loess hill prairies, sandstone glades, caves, streams, and endangered species habitats.

What has become clear, however, is that merely buying these "natural areas" or just setting them aside neither guarantees retention of their natural integrity nor prevents their gradual degradation or outright destruction. Numerous invasive exotic plant species (non-native weeds) threaten the natural make-up of many of these areas. Natural forces, such as fire and bison, no longer impose their presence as a part of the course of natural events. Threats of human origin, such as pollution of the air, water, and soil, continue.

In the context of managing "natural areas" and in management of wilderness as well, the State of Illinois agrees that the ". . . purpose of wilderness is the maintenance, and, if need be, the restoration of a dynamic equilibrium of natural forces . . ." and that the administering agency's actions ". . . should be guided by the goal of preserving the wilderness character." (The Wilderness Act Handbook, The Wilderness Society, 1964.)

If the best remaining candidates for wilderness contain some foreign elements introduced by modern man, if they no longer are a function entirely of the forces of nature, then we really have no choice but to go ahead and set these areas aside. But what we cannot then do is leave the fate of these areas to chance. It is imperative that we strive to know what the natural order was and, within a framework of prac-

ticality and environmental sensitivity, to restore or approximate those natural conditions.

In summary, the State of Illinois supports establishment of the wilderness areas in the Shawnee National Forest of Illinois. Our support for Illinois wilderness is based, in part, on the supposition that essential ". . . management actions should be based on clearly defined objectives that . . . are set forth in individual area management plans . . ." (ibid). It is especially critical that the Forest Service receive the appropriate encouragements in the management of the Illinois wilderness, particularly in the effective use of prescribed fire, in the detection and control of exotic species, and in the management and protection of the Illinois Natural Areas Inventory areas within designated wilderness areas. Toward this end, we have worked with Congressman Poshard to develop specific language addressing these issues. This language was included in the committee report for H.R. 5428.

The House companion bill H.R. 5428 was approved by both the House Interior Committee and the House Agriculture Committee without amendment and was cosponsored and supported by all 24 Members of the Illinois delegation.

Illinois appreciates this opportunity to address the subcommittee.

---

PREPARED STATEMENT OF HON. JAMES MCCLURE CLARKE, A REPRESENTATIVE IN CONGRESS FROM THE 11TH CONGRESSIONAL DISTRICT, STATE OF NORTH CAROLINA

Thank you, Mr. Chairman, for scheduling this hearing this late in the session on this excellent bill sponsored by my colleague from North Carolina, Cass Ballenger, and passed by the House. Harper Creek and Lost Cove are magnificent areas, and it seems to me most desirable to give them wilderness designation.

As you know, with his permission, I introduced an amendment to Congressman Ballenger's bill to designate the 2,380 acre Craggy Mountain area as wilderness. This area, which is now classified as a Wilderness Study Area, is adjacent to the Blue Ridge Parkway in Buncombe County, not far from Asheville. Many people visit this area each year, and countless more view it as they look north from the Craggy Gardens overlook on the Blue Ridge Parkway.

The Craggy Mountain area is home to bear, turkey, deer and grouse, as well as at least three plant species which are under consideration as federally threatened or endangered. Its protection is noncontroversial because it has relatively little timber value. Craggy Mountain has several streams and at least one large waterfall. The Forest Service recommends that the Craggy Mountain Wilderness Study Area be designated as Wilderness, and this area was included in the bill passed by the House.

I urge you to retain this area in the bill and urge passage of the Western North Carolina Wilderness bill by the Senate.

---

PREPARED STATEMENT OF THE SIERRA CLUB APPALACHIAN REGIONAL OFFICE ON S. 3200, THE WESTERN NORTH CAROLINA WILDERNESS ACT

On behalf of the nearly 600,000 members of the Sierra Club nationwide and the nearly 12,000 members in North Carolina, thank you for considering the Western North Carolina Wilderness Act of 1990.

The two areas protected by S. 3200, Lost Cove and Harper Creek are valuable additions to America's wilderness system. These two areas total just under 13,000 acres and are located in the Pisgah National Forest in western North Carolina. The Sierra Club also supports the inclusion of the Craggy Mountain area. The House-passed version of this bill includes all three areas. In addition, we oppose the release from Wilderness Study classification of the nearby Snowbird and Overflow areas.

The areas are all accessible from the Blue Ridge Parkway. There are approximately 24 million people living within a 250 mile radius. When the nearby Linville Gorge Wilderness Area reaches capacity, as it often does in the summer, Lost Cove and Harper Creek—just 10 miles away—can handle the overflow.

*Lost Cove.*—Covering 5,710 acres, Lost Cove contains the dramatic Big Lost Cove Cliffs. Rising 1,000 feet above the valley floor, this formation is easily visible from the Blue Ridge Parkway. Waterfalls abound in the area including a spectacular 80 foot drop on Little Lost Cove Creek. The area, a black bear sanctuary, is home to many species of plants and animals, including trophy status trout.

*Harper Creek.*—At 7,140 acres, Harper Creek is slightly larger than its neighbor, Lost Cove. Five major waterfalls are contained within the Harper Creek area. On South Harper Creek is one which plunges 200 feet to the box canyon below. Views

of nearby Grandfather Mountain are seen from Little Lost Cove Cliffs. As in the Lost Cove area, trout also abound in Harper Creek.

*Craggy Mountain.*—In addition to the Lost Cove and Harper Creek areas, the Sierra Club would like to see the Craggy Mountain area added to the National Wilderness Preservation System. While only 2,380 acres, this area is popular and easily accessible from the Blue Ridge Parkway. Here the steep terrain reaches 6,000 feet and is famous from spectacular displays of rhododendron in the summer months. Black ravens and golden eagles make their home in the Craggy Mountain and black bear are known to frequent the area.

All three areas are currently congressionally designated Wilderness Study Areas. The U.S. Forest Service has reviewed them in the forest planning process and recommended that all three be designated as Wilderness. The Sierra Club supports this designation and urges the Senate to do the same.

Two other areas, Overflow and Snowbird, are Wilderness Study Areas in western North Carolina. The Sierra Club feels that these areas need to remain as Wilderness Study Areas until the Congress has the time to adequately review their wilderness potential. The Forest Service is recommending that they be released from Wilderness Study status. The Sierra Club opposes release and urges the Senate to do so as well.

Thank you for considering our position on these important wilderness proposals.

For further information, contact:

Ken Gersten, Associate Appalachian Regional Representative, 301-268-7411;

David Blanchard-Reid, North Carolina Chapter Public Lands Chair, 704-686-3211; or

Ginny Lindsay, 919-838-9195.

101ST CONGRESS
2D SESSION

# S. 2948

To designate certain public lands in the State of Illinois as wilderness, and for other purposes.

---

IN THE SENATE OF THE UNITED STATES

AUGUST 1 (legislative day, JULY 10), 1990

Mr. DIXON (for himself and Mr. SIMON) introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

OCTOBER 2, 1990

Committee discharged; ordered referred to the Committee on Agriculture, Nutrition, and Forestry

---

# A BILL

To designate certain public lands in the State of Illinois as wilderness, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

**SECTION 1. SHORT TITLE.**

This Act may be cited as the "Illinois Wilderness Act of 1990".

**SEC. 2. FINDINGS.**

In designating wilderness areas in the Shawnee National Forest pursuant to this Act, the Congress finds, as provided in the Wilderness Act, that such areas—

(1) generally appear to have been affected primarily by the forces of nature, with the imprint of man's work substantially unnoticeable;

(2) have outstanding opportunities for solitude or a primitive and unconfined type of recreation; and

(3) contain ecological, geological, and other features of scientific, educational, and scenic value.

**SEC. 3. DESIGNATION OF WILDERNESS AREAS.**

In furtherance of the purposes of the Wilderness Act (16 U.S.C. 1131 et seq.), the following lands in the Shawnee National Forest in the State of Illinois are hereby designated as wilderness and therefore as components of the National Wilderness Preservation System—

(1) certain lands comprising approximately five thousand nine hundred and eighteen acres, as generally depicted on a map entitled "Bald Knob Wilderness—Proposed", dated July 1990, and which shall be known as the Bald Knob Wilderness;

(2) certain lands comprising approximately two thousand six hundred and sixty-six acres, as generally depicted on a map entitled "Bay Creek Wilderness—

Proposed", dated July 1990, and which shall be known as the Bay Creek Wilderness;

(3) certain lands comprising approximately three thousand seven hundred and twenty-three acres, as generally depicted on a map entitled "Burden Falls Wilderness—Proposed", dated July 1990, and which shall be known as Burden Falls Wilderness;

(4) certain lands comprising approximately four thousand seven hundred and thirty acres, as generally depicted on a map entitled "Clear Springs Wilderness—Proposed", dated July 1990, and which shall be known as the Clear Springs Wilderness;

(5) certain lands comprising approximately three thousand two hundred and ninety-three acres, as generally depicted on a map entitled "Garden of the Gods Wilderness—Proposed", dated July 1990, and which shall be known as the Garden of the Gods Wilderness;

(6) certain lands comprising approximately four thousand seven hundred and ninety-six acres, as generally depicted on a map entitled "Lusk Creek Wilderness—Proposed", dated July 1990, and which shall be known as the Lusk Creek Wilderness; and

(7) certain lands comprising approximately nine hundred and forty acres, as generally depicted on a map entitled "Panther Den Wilderness—Proposed",

dated July 1990, and which shall be known as Panther Den Wilderness.

SEC. 4. DESCRIPTION AND MAPS.

As soon as practicable after the enactment of this Act, the Secretary of Agriculture (hereafter in this Act referred to as the "Secretary") shall file maps and legal descriptions of each wilderness area designated by this Act with the Committee on Agriculture, Nutrition, and Forestry of the Senate, and the Committees on Agriculture and Interior and Insular Affairs of the House of Representatives. Each such map and legal description shall have the same force and effect as if included in this Act, except that correction of clerical and typographical errors in such legal descriptions and maps may be made. Each such map and legal description shall be on file and available for public inspection in the office of the Chief of the Forest Service, Department of Agriculture.

SEC. 5. ADMINISTRATION OF WILDERNESS AREAS.

Subject to valid existing rights, each wilderness area designated by this Act shall be administered by the Secretary in accordance with the provisions of the Wilderness Act, except that any reference in such provisions to the effective date of the Wilderness Act shall be deemed to be a reference to the effective date of this Act.

**SEC. 6. ADJACENT AREAS.**

Congress does not intend that designation of wilderness areas in the State of Illinois lead to the creation of protective perimeters or buffer zones around each wilderness area. The fact that nonwilderness activities or uses can be seen or heard from areas within the wilderness shall not, of itself, preclude such activities or uses up to the boundary of the wilderness areas.

**SEC. 7. HUNTING, FISHING, AND TRAPPING.**

As provided in section 4(d)(7) of the Wilderness Act, nothing in this Act shall be construed as affecting the jurisdiction or responsibilities of the State of Illinois with respect to wildlife and fish in the national forests in Illinois.

**SEC. 8. FIRE, INSECTS, AND DISEASE CONTROL.**

As provided in section 4(d)(1) of the Wilderness Act, the Secretary may take such measures as may be necessary to control fire, insects, and diseases within any area designated by this Act.

**SEC. 9. CEMETERY ACCESS.**

The Secretary shall permit relatives and descendants of those interred in cemeteries located within the wilderness areas designated by this Act, and those accompanying such relatives and descendants, to access and maintain such cemeteries. The Secretary shall regulate such appropriate access and maintenance to minimize any detrimental effects on the

wilderness resource or any uses incompatible with the provisions of the Wilderness Act.

**SEC. 10. DESIGNATION OF SPECIAL MANAGEMENT AREAS.**

(a) AREA DESIGNATIONS.—(1) Mining and prospecting for fluorspar and associated minerals shall be permitted in the lands in the Shawnee National Forest described in paragraph (2) in accordance with this section and other applicable law. These lands shall also be managed, to the extent practicable, to preserve their potential for future inclusion in the National Wilderness Preservation System.

(2) The lands described in this paragraph are—

(A) certain lands comprising approximately two thousand and forty-two acres as generally depicted on a map entitled "East Fork Area—Proposed", dated July 1990, and which shall be known as the East Fork Area; and

(B) certain lands comprising approximately seven hundred and twenty-two acres as generally depicted on a map entitled "Eagle Creek Area—Proposed", dated July 1990, and which shall be known as the Eagle Creek Area.

(b) TIME LIMITATION.—Prospecting for fluorspar and associated minerals in the lands described in subsection (a)(2) may be allowed for a period of not more than eight years beginning on the date of enactment of this Act. If significant

deposits of fluorspar and associated minerals are found to exist in parts or all of such lands, then mining for those minerals may be allowed for a twenty-year period beginning on the date of enactment of this Act.

(c) MINERAL RIGHTS.—Nothing in this section shall be construed to change in any way the process by which mining and prospecting permits and rights are granted on National Forest System lands.

(d) CESSATION OF CERTAIN USES.—Twenty years following the date of enactment of this Act (or eight years following enactment if no prospecting for fluorspar and associated minerals has been done, as determined by the Secretary), such lands described in subsection (a)(2) shall be designated as wilderness and components of the National Wilderness Preservation System, in furtherance of the purposes of the Wilderness Act (16 U.S.C. 1131 et seq.).

II

101ST CONGRESS
2D SESSION

# H. R. 5428

IN THE SENATE OF THE UNITED STATES

OCTOBER 12 (legislative day OCTOBER 2), 1990

Received; read twice and referred to the Committee on Agriculture, Nutrition, and Forestry

# AN ACT

To designate certain public lands in the State of Illinois as wilderness, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

SECTION 1. SHORT TITLE.

This Act may be cited as the "Illinois Wilderness Act of 1990".

SEC. 2. FINDINGS.

In designating wilderness areas in the Shawnee National Forest pursuant to this Act, the Congress finds, as provided in the Wilderness Act, that such areas—

(1) generally appear to have been affected primarily by the forces of nature, with the imprint of man's work substantially unnoticeable;

(2) have outstanding opportunities for solitude or a primitive and unconfined type of recreation; and

(3) contain ecological, geological, and other features of scientific, educational, and scenic value.

**SEC. 3. DESIGNATION OF WILDERNESS AREAS.**

In furtherance of the purposes of the Wilderness Act (16 U.S.C. 1131 et seq.), the following lands in the Shawnee National Forest in the State of Illinois are hereby designated as wilderness and therefore as components of the National Wilderness Preservation System—

(1) certain lands comprising approximately 5,918 acres, as generally depicted on a map entitled "Bald Knob Wilderness—Proposed", dated July 1990, and which shall be known as the Bald Knob Wilderness;

(2) certain lands comprising approximately 2,866 acres, as generally depicted on a map entitled "Bay Creek Wilderness—Proposed", dated July 1990, and which shall be known as the Bay Creek Wilderness;

(3) certain lands comprising approximately 3,723 acres, as generally depicted on a map entitled "Burden Falls Wilderness—Proposed", dated July 1990, and which shall be known as Burden Falls Wilderness;

(4) certain lands comprising approximately 4,730 acres, as generally depicted on a map entitled "Clear

Springs Wilderness—Proposed", dated July 1990, and which shall be known as the Clear Springs Wilderness;

(5) certain lands comprising approximately 3,293 acres, as generally depicted on a map entitled "Garden of the Gods Wilderness—Proposed", dated July 1990, and which shall be known as the Garden of the Gods Wilderness;

(6) certain lands comprising approximately 4,796 acres, as generally depicted on a map entitled "Lusk Creek Wilderness—Proposed", dated July 1990, and which shall be known as the Lusk Creek Wilderness; and

(7) certain lands comprising approximately 940 acres, as generally depicted on a map entitled "Panther Den Wilderness—Proposed", dated July 1990, and which shall be known as Panther Den Wilderness.

SEC. 4. DESCRIPTION AND MAPS.

As soon as practicable after the enactment of this Act, the Secretary of Agriculture (hereafter in this Act referred to as the "Secretary") shall file maps and legal descriptions of each wilderness area designated by this Act with the Committee on Agriculture, Nutrition, and Forestry of the Senate, and the Committees on Agriculture and Interior and Insular Affairs of the House of Representatives. Each such map and legal description shall have the same force and effect as if

included in this Act, except that correction of clerical and typographical errors in such legal descriptions and maps may be made. Each such map and legal description shall be on file and available for public inspection in the office of the Chief of the Forest Service, Department of Agriculture.

**SEC. 5. ADMINISTRATION OF WILDERNESS AREAS.**

Subject to valid existing rights, each wilderness area designated by this Act shall be administered by the Secretary in accordance with the provisions of the Wilderness Act, except that any reference in such provisions to the effective date of the Wilderness Act shall be deemed to be a reference to the effective date of this Act.

**SEC. 6. ADJACENT AREAS.**

Congress does not intend that designation of wilderness areas in the State of Illinois lead to the creation of protective perimeters or buffer zones around each wilderness area. The fact that nonwilderness activities or uses can be seen or heard from areas within the wilderness shall not, of itself, preclude such activities or uses up to the boundary of the wilderness areas.

**SEC. 7. HUNTING, FISHING, AND TRAPPING.**

As provided in section 4(d)(7) of the Wilderness Act, nothing in this Act shall be construed as affecting the jurisdiction or responsibilities of the State of Illinois with respect to wildlife and fish in the national forests in Illinois.

**SEC. 8. FIRE, INSECTS, AND DISEASE CONTROL.**

As provided in section 4(d)(1) of the Wilderness Act, the Secretary may take such measures as may be necessary to control fire, insects, and diseases within any area designated by this Act.

**SEC. 9. CEMETERY ACCESS.**

The Secretary shall permit relatives and descendants of those interred in cemeteries located within the wilderness areas designated by this Act, and those accompanying such relatives and descendants, to access and maintain such cemeteries. The Secretary shall regulate such appropriate access and maintenance to minimize any detrimental effects on the wilderness resource or any uses incompatible with the provisions of the Wilderness Act.

**SEC. 10. DESIGNATION OF SPECIAL MANAGEMENT AREAS.**

(a) AREA DESIGNATIONS.—(1) Mining and prospecting for fluorspar and associated minerals shall be permitted in the lands in the Shawnee National Forest described in paragraph (2) in accordance with this section and other applicable law. These lands shall also be managed, to the extent practicable, to preserve their potential for future inclusion in the National Wilderness Preservation System.

(2) The lands described in this paragraph are—

(A) certain lands comprising approximately 2,042 acres as generally depicted on a map entitled "East

Fork Area—Proposed", dated July 1990, and which shall be known as the East Fork Area; and

(B) certain lands comprising approximately 722 acres as generally depicted on a map entitled "Eagle Creek Area—Proposed", dated July 1990, and which shall be known as the Eagle Creek Area.

(b) TIME LIMITATION.—Prospecting for fluorspar and associated minerals in the lands described in subsection (a)(2) may be allowed for a period of not more than 8 years beginning on the date of enactment of this Act. If significant deposits of fluorspar and associated minerals are found to exist in parts or all of such lands, then mining for those minerals may be allowed for a 20-year period beginning on the date of enactment of this Act.

(c) MINERAL RIGHTS.—Nothing in this section shall be construed to change in any way the process by which mining and prospecting permits and rights are granted on National Forest System lands.

(d) CESSATION OF CERTAIN USES.—Twenty years following the date of enactment of this Act (or 8 years following enactment if no prospecting for fluorspar and associated minerals has been done, as determined by the Secretary), such lands described in subsection (a)(2) shall be designated as wilderness and components of the National Wilderness Preser-

vation System, in furtherance of the purposes of the Wilderness Act (16 U.S.C. 1131 et seq.).

Passed the House of Representatives October 10, 1990.

Attest: DONNALD K. ANDERSON,

*Clerk.*

II

101ST CONGRESS
2D SESSION

# H. R. 5388

IN THE SENATE OF THE UNITED STATES

OCTOBER 12 (legislative day, OCTOBER 2), 1990
Received

OCTOBER 16 (legislative day, OCTOBER 2), 1990
Read twice and referred to the Committee on Agriculture, Nutrition, and Forestry

# AN ACT

To designate certain lands in the State of North Carolina as wilderness, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

**SECTION 1. SHORT TITLE.**

This Act may be cited as the "Western North Carolina Wilderness Protection Act of 1990".

**SEC. 2. DESIGNATION AND ADMINISTRATION.**

(a) DESIGNATION.—In furtherance of the purposes of the Wilderness Act (16 U.S.C. 1131–1136), the following lands in the State of North Carolina are hereby designated as wilderness and therefore as components of the National Wilderness Preservation System:

(1) Certain lands in the Pisgah National Forest, which comprise approximately 5,710 acres as generally depicted on a map entitled "Lost Cove Wilderness—Proposed" dated July 1990, which shall be known as the Lost Cove Wilderness.

(2) Certain lands in the Pisgah National Forest, which comprise approximately 7,140 acres as generally depicted on a map entitled "Harper Creek Wilderness—Proposed" dated July 1990, which shall be known as the Harper Creek Wilderness.

(3) Certain lands in the Pisgah National Forest, which comprise approximately 2,380 acres as generally depicted on a map entitled "Craggy Mountain Wilderness—Proposed" dated September 1990, which shall be known as the Craggy Mountain Wilderness.

(b) ADMINISTRATION.—Subject to valid existing rights, the wilderness areas designated under this section shall be administered by the Secretary of Agriculture (hereafter in this Act referred to as the "Secretary") in accordance with the provisions of the Wilderness Act governing areas designated by that Act as wilderness, except that any reference in such provisions to the effective date of the Wilderness Act shall be deemed to be a reference to the date of enactment of this Act.

(c) MAP AND DESCRIPTION.—As soon as practicable after enactment of this Act, the Secretary shall file a map and a legal description of each wilderness area designated under this section with the Committee on Interior and Insular Affairs and the Committee on Agriculture of the House of Representatives and with the Committee on Energy and Natural Resources of the Senate. Each such map and description shall have the same force and effect as if included in this Act, except that correction of clerical and typographical errors in such legal description and map may be made. Each such map and legal description shall be on file and available for public inspection in the Office of the Chief of the Forest Service, United States Department of Agriculture.

Passed the House of Representatives October 10, 1990.

Attest: DONNALD K. ANDERSON,

*Clerk.*

II

101ST CONGRESS
2D SESSION

# S. 3200

To designate certain lands in the State of North Carolina as part of the National Wilderness Preservation System.

---

IN THE SENATE OF THE UNITED STATES

OCTOBER 12 (legislative day, OCTOBER 2), 1990

Mr. SANFORD introduced the following bill; which was read twice and referred to the Committee on Agriculture, Nutrition, and Forestry

---

# A BILL

To designate certain lands in the State of North Carolina as part of the National Wilderness Preservation System.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

SECTION 1. SHORT TITLE.—This Act may be cited as the "Western North Carolina Wilderness Protection Act of 1990".

SEC. 2. DESIGNATION AND ADMINISTRATION.—(a) DESIGNATION.—In furtherance of the purposes of the Wilderness Act (16 U.S.C. 1131–1136), the following lands in the State of North Carolina are hereby designated as components of the National Wilderness Preservation System:

(1) Certain lands in the Pisgah National Forest which comprise approximately five thousand seven hundred and ten acres as generally depicted on a map entitled "Lost Cove Wilderness-Proposed" dated July 1990, which shall be known as the Lost Cove Wilderness.

(2) Certain lands in the Pisgah National Forest which comprise approximately seven thousand one hundred and forty acres as generally depicted on a map entitled "Harper Creek Wilderness-Proposed" dated July 1990, which shall be known as the Harper Creek Wilderness.

(b) ADMINISTRATION.—Subject to valid existing rights, the wilderness areas designated under this section shall be administered by the Secretary of Agriculture (hereafter referred to as the "Secretary") in accordance with the provisions of the Wilderness Act governing areas designated by such Act as wilderness, except that any reference in such provisions to the effective date of the Wilderness Act shall be deemed to be reference to the date of enactment of this Act.

(c) MAP AND DESCRIPTION.—As soon as practicable after the date of enactment of this Act, the Secretary shall file a map and legal description of each wilderness area designated under this section with the Committee on Interior and Insular Affairs and the Committee on Agriculture of the

House of Representatives and with the Committee on Energy and Natural Resources of the Senate. Each such map and legal description shall have the same force and effect as if included in this Act, except that correction of clerical and typographical errors in such legal description and map may be made. Each such map and legal description shall be on file and available for public inspection in the office of the Chief of the Forest Service, United States Department of Agriculture.

○

ISBN 0-16-035354-8

9 780160 353543 90000